

Kabateck Brown Kellner, LLP
644 South Figueroa Street
Los Angeles, California 90017
(213) 217-5000
FAX (213) 217-5010

KABATECK BROWN KELLNER LLP

BRIAN S. KABATECK, ESQ. / BAR #152054
RICHARD L. KELLNER, ESQ. / BAR #171416
644 South Figueroa Street
Los Angeles, CA 90017
Telephone: (213) 217-5000
Facsimile: (213) 217-5010
Email: bsk@kbklawyers.com

KHORRAMI POLLARD & ABIR LLP

SHAWN KHORRAMI, ESQ. / BAR #180411
DYLAN POLLARD, ESQ. / BAR #180306
444 So. Flower Street, Thirty-Third Floor
Los Angeles, CA 90071
Telephone: (213) 596-6000
Facsimile: (213) 596-6010
Email: dpollard@kpalawyers.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
vs.) AS TO PLAINTIFF DANIEL MARTIN

PFIZER, INC., et al.)
)
Defendants.)

COME NOW, Plaintiff DANIEL MARTIN and Defendants PFIZER, INC., et al., by and
through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

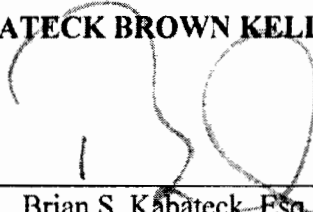
**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF DANIEL MARTIN**

1 hereby stipulate to the dismissal of Plaintiff DANIEL MARTIN from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5 Dated: September 24 2009

KABATECK BROWN KELLNER LLP

7
8 By: 
9 Brian S. Kabateck, Esq.
10 Attorneys for Plaintiff DANIEL MARTIN

11 Dated: October 27, 2009

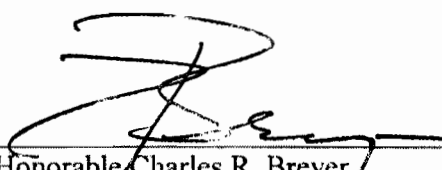
DLA PIPER LLP

12
13 By: /S/
14 Matthew A. Holian
15 Attorney for Defendants PFIZER, INC., et al.

16
17 **ORDER**

18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20
21 Dated: OCT 29 2009


22 Honorable Charles R. Breyer
23 United States District Court
24
25
26
27
28